

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

TOMMY STRICKLAND,)	
# 124708,)	
)	
Petitioner,)	
)	
v)	Civil Action No.2:07cv1052-MHT
)	
RALPH HOOKS, WARDEN, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER ON MOTION

It is a rule of this court that if, after considering a prisoner's affidavit for *in forma pauperis* treatment, it is determined that the prisoner is financially able to pay the appropriate filing fee, he must do so.

Upon consideration of the fact that Petitioner had an available balance of \$28.20 in his prison account at the time he filed this application for habeas relief, it is the opinion of the Magistrate Judge that Petitioner is able to pay the applicable \$5.00 filing fee.

Accordingly, it is ORDERED that:

1. Within fourteen (14) days of the filing date of this order, Petitioner shall forward to the Clerk of the Court the \$5.00 filing fee; and
2. Except to the extent that payment is required under this order, Petitioner's motion for leave to proceed *in forma pauperis* (Doc. No. 3) is GRANTED. Petitioner is cautioned

that his failure to comply with this order will result in a Recommendation by the undersigned that the instant petition be dismissed.

DONE, this 4th day of December, 2007.

/s/Susan Russ Walker
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE